

02-13-02

A

**UTILITY PATENT APPLICATION TRANSMITTAL**
(Large Entity)*(Only for new nonprovisional applications under 37 CFR 1.53(b))*Docket No.
300P010064-US (PAR)Total Pages in this Submission
4**TO THE ASSISTANT COMMISSIONER FOR PATENTS**Box Patent Application
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

**HIGH AVAILABILITY BROADBAND COMMUNICATIONS SATELLITE
SYSTEM USING SATELLITE CONSTELLATIONS IN ELLIPTICAL ORBITS INCLINED TO THE
EQUATORIAL PLANE**

and invented by:

James Nicholas LaPrade; Andrew E. Turner; Brian R. KemperIf a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Which is a:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

THIS APPLICATION CLAIMS THE BENEFIT OF PROVISIONAL APPLICATION NO.

60/267,580 FILED 2/9/2001.

Enclosed are:

Application Elements

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 39 pages and including the following:
 - a. ☒ Descriptive Title of the Invention
 - b. ☒ Cross References to Related Applications *(if applicable)*
 - c. ☐ Statement Regarding Federally-sponsored Research/Development *(if applicable)*
 - d. ☐ Reference to Sequence Listing, a Table, or a Computer Program Listing Appendix
 - e. ☒ Background of the Invention
 - f. ☒ Brief Summary of the Invention
 - g. ☒ Brief Description of the Drawings *(if filed)*
 - h. ☒ Detailed Description
 - i. ☒ Claim(s) as Classified Below
 - j. ☒ Abstract of the Disclosure

UTILITY PATENT APPLICATION TRANSMITTAL
(Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

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Total Pages in this Submission
4

Application Elements (Continued)

3. ☒ Drawing(s) *(when necessary as prescribed by 35 USC 113)*
- a. ☐ Formal Number of Sheets _____
- b. ☒ Informal Number of Sheets 13
4. ☐ Oath or Declaration
- a. ☐ Newly executed *(original or copy)* ☐ Unexecuted
- b. ☐ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*
- c. ☐ With Power of Attorney ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application,
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference *(usable if Box 4b is checked)*
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under
Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby
incorporated by reference therein.
6. ☐ CD ROM or CD-R in duplicate, large table or Computer Program (Appendix)
7. ☐ Application Data Sheet (See 37 CFR 1.76)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all must be included)*
- a. ☐ Computer Readable Form (CRF)
- b. ☐ Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ Paper
- c. ☐ Statement(s) Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

9. ☐ Assignment Papers *(cover sheet & document(s))*
10. ☐ 37 CFR 3.73(B) Statement *(when there is an assignee)*
11. ☐ English Translation Document *(if applicable)*
12. ☐ Information Disclosure Statement/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) *(Should be specifically itemized)*
15. ☐ Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
16. ☒ Certificate of Mailing
- ☐ First Class ☒ Express Mail *(Specify Label No.):* EL627508464US

UTILITY PATENT APPLICATION TRANSMITTAL
(Large Entity)

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Docket No.
300P010064-US (PAR)

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Accompanying Application Parts (Continued)

17. ☐ Additional Enclosures *(please identify below):*

Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

18. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

Warning

An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

10073559-074700

UTILITY PATENT APPLICATION TRANSMITTAL (Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
300P010064-US (PAR)

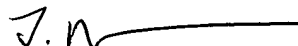
Total Pages in this Submission
4

Fee Calculation and Transmittal

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	17	- 20 =	0	x \$18.00	\$0.00
Indep. Claims	2	- 3 =	0	x \$84.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$740.00
OTHER FEE (specify purpose)					\$0.00
TOTAL FILING FEE					\$740.00

- ☒ A check in the amount of \$740.00 to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. 16-1350 as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).



Signature

Janik Marcovici
Reg. No. 42,841
PERMAN & GREEN, LLP
425 Post Road
Fairfield, CT 06430
(203) 259-1800 Ext. 132
Customer No. 2512

Dated: 2/11/2002

cc:

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s):

Docket No.

300P010064-US (PAR)

Serial No.

Filing Date

Examiner

Group Art Unit

Invention:

**HIGH AVAILABILITY BROADBAND COMMUNICATIONS SATELLITE
SYSTEM USING SATELLITE CONSTELLATIONS IN ELLIPTICAL ORBITS INCLINED TO THE
EQUATORIAL PLANE**

I hereby certify that the following correspondence:

Transmittal Cover Sheet; Application; Drawings; Check; Postcard

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under
37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

2/11/2002*(Date)*Denise Spaulding*(Typed or Printed Name of Person Mailing Correspondence)*Denise Spaulding*(Signature of Person Mailing Correspondence)*EL627508464US*("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**

MAY 21 2002

COPY OF PAPERS
ORIGINAL FILED

0521

Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Large Entity)Docket No.
YR1-3 / 300P010064-US (PAR)

In Re Application Of: LaPrade, et al.

Serial No.
10/073,699Filing Date
02/11/2002

Examiner

Group Art Unit

Invention: **HIGH AVAILABILITY BROADBAND COMMUNICATIONS SATELLITE SYSTEM USING
SATELLITE CONSTELLATIONS IN ELLIPTICAL ORBITS INCLINED TO THE EQUATORIAL
PLANE**TO THE ASSISTANT COMMISSIONER FOR PATENTS:Box Missing PartsThis is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on
4/4/02
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☒ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☒ A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☒ Other (list):

Preliminary Amendment

05/24/2002 AWONDAF1 00000068 10073699

01 FC:105

130.00 OP

OFFICE OF PUBLIC RECORDS
2002 MAY 21 PM 4:39
FINANCE SECTION

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Large Entity)**

**Docket No.
YR1-3 / 300P010064-US (PAR)**

In Re Application Of: **LaPrade, et al.**

**Serial No.
10/073,699**

**Filing Date
02/11/2002**

Examiner

Group Art Unit

**Invention: HIGH AVAILABILITY BROADBAND COMMUNICATIONS SATELLITE SYSTEM USING
SATELLITE CONSTELLATIONS IN ELLIPTICAL ORBITS INCLINED TO THE EQUATORIAL
PLANE**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

☐ Completion of application fees as calculated below:

☐ Utility application filing fee _____

☐ Design application filing fee _____

☐ Total number of independent claims = _____

☐ Total number of claims = _____

☐ Multiple dependent claims _____

☒ Surcharge for late payment of filing fee and/or late filing of original declaration or oath **\$130.00**

☐ Petition and fee for filing by other than all the inventors or a person not the inventor _____

☐ Fee for processing an application filed with a non-English language specification _____

☐ Fee for processing and retention of application _____

Total completion of application fees \$130.00

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☐ One month ☐ Two months ☐ Three months ☐ Four months ☐ Five months

from: _____ until: _____
Date Date

Total time extension fees _____

Total fees due \$130.00

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533) (Large Entity)**

**Docket No.
YR1-3 / 300P010064-US (PAR)**

In Re Application Of: **LaPrade, et al.**

**Serial No.
10/073,699**

**Filing Date
02/11/2002**

Examiner

Group Art Unit

**Invention: HIGH AVAILABILITY BROADBAND COMMUNICATIONS SATELLITE SYSTEM USING
SATELLITE CONSTELLATIONS IN ELLIPTICAL ORBITS INCLINED TO THE EQUATORIAL
PLANE**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

The fee of **\$130.00** is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 16-1350
A duplicate copy of this sheet is enclosed.
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 16-1350
A duplicate copy of this sheet is enclosed.



Signature

Dated: **May 10, 2002**

**Janik Marcovici, Reg. No. 42,841
Perman & Green, LLP
425 Post Road
Fairfield, CT 06430
(203) 259-1800 Ext. 42,841
Customer No. 2512**

I certify that this document and fee is being deposited on 5/10/02 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.


Signature of Person Mailing Correspondence

Christine M. Syc

Typed or Printed Name of Person Mailing Correspondence

CC: